

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO. 1:19-CV-227-DCK**

**TRAVELERS INDEMNITY COMPANY OF  
AMERICA, as subrogee of GIO 44, LLC,**

**Plaintiff,**

**v.**

**S.E. STEWART, INC., FALCON  
DEVELOPMENT OF NC, INC., T.P.  
HOWARD'S PLUMBING COMPANY  
INCORPORATED,**

**Defendants.**

**ORDER**

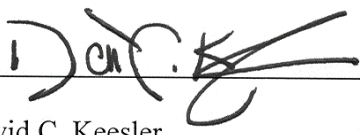
**THIS MATTER IS BEFORE THE COURT** on “Defendant Falcon Development Of NC, Inc.’s Motion For Summary Judgment” (Document No. 45) filed August 12, 2020. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and the motion is ripe for disposition. Having carefully considered the motion and the record, the undersigned will deny the motion as moot.

The undersigned notes that Defendant Falcon Development of NC, Inc. filed a “Stipulation Of Dismissal ...” (Document No. 54) on September 15, 2020.

**IT IS, THEREFORE, ORDERED** that “Defendant Falcon Development Of NC, Inc.’s Motion For Summary Judgment” (Document No. 45) is **DENIED AS MOOT**.

**SO ORDERED.**

Signed: September 22, 2020

  
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David C. Keesler  
United States Magistrate Judge

